IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 12TH OCTOBER 2006 / 20TH ASWINA 1928

Bail Appl..No. 5829 of 2006()

AGAINST THE ORDER DATED 15/09/2006 IN ORDER IN CMP.2017/2006 of D.C & SESSIONS COURT,TRIVANDRUM

CRIME NO.206/2006 OF POOJAPPURA POLICE STATION.

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PETITIONER/ACCUSED:

JAYAKUMAR @ ISTHIRI JAYAN,
S/O. RAJAN, KOVILVILLAKATHU VEEDU, KOCHAR ROAD,
SASTHAMANGALAM, THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.JAYACHANDRAN

RESPONDENTS: COMPLAINANT/STATE:

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1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. STATION HOUSE OFFICER,
POOJAPPURA POLICE STATION, POOJAPPURA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 5829 of 2006

Dated this the 12th October, 2006.

O R D E R

Petitioner is the first accused in Crime No.206/2006 of Poojappura Police Station, for the offence punishable under Sections 452, 323, 324 and 506(ii) IPC, read with Section 34 IPC, and also under Section 27 of the Arms Act. The accused had trespassed into the house of the de facto complainant, with the first accused possessing a sword, and assaulted the de facto complainant. He was admitted in the Medical College Hospital, Thiruvananthapuram, and at his instance, the above crime has been registered. Petitioner has approached the Sessions Court, Thiruvananthapuram, for a pre arrest order. The learned Sessions Judge disallowed the application. Hence, the petitioner is before this Court under Section 438 Cr.P.C.

2. After hearing both sides, Considering the above facts, I dispose of the application, directing the petitioner to surrender before the Investigating Officer of Poojappura Police Station, who is investigating the Crime No.206/2006 of that police station, on 19.10.2006, between 9.30 and 10 a.m.

3. The investigating officer shall interrogate the petitioner, and produce him before the court below, as per the law.

4. The learned Magistrate shall hear both sides, and pass appropriate orders, on merit, on the date of production itself.

J.M. JAMES,
JUDGE

nj.